

SECTION 1.10 ENVIRONMENTAL COMPLIANCE

In Article 1.10.03--Water Pollution Control: BEST MANAGEMENT PRACTICES

Add the following after Best Management Practice Number 14:

15. The Contractor is hereby notified that the state and regional species of greatest conservation need species New England cottontail (*Sylvilagus transitionalis*), is present within the Project limits. The New England cottontail is Connecticut's only native rabbit. In Connecticut, this rabbit breeds throughout the spring, summer, and sometimes into the fall. New England cottontails are active year round during dawn, dusk, and at night. In the summer, they feed on grasses and forbs and in the winter they feed on bark, twigs, and buds of shrubs and young trees. These rabbits prefer early successional habitats such as brushy second-growth tangles, briers, and dense thickets often near wet areas. Maintaining existing early successional stage habitats (such as abandoned pasture land and agricultural fields) as well as forested edges with a well-developed understory (with shrubs and brushy thickets) will conserve the preferred habitat of this species. In general, larger contiguous patches of habitat are better for this species than small patches. All construction activities taking place within the New England cottontail's habitat (Project limits) will need to be coordinated with the Department.

The Contractor shall through the Engineer at least 10 days prior to the commencement of any construction activities, arrange for a CT DOT Environmental Inspector from the Office of Environmental Planning (OEP) or their authorized delegate to be available to meet and discuss proper protocol for maintaining environmental commitments made to the protection of this species and habitat. OEP will provide oversight through the District to ensure that the following protocols are followed and maintained during the course of the Project:

- a. A thorough walk through and inspection of all New England cottontail habitat areas must be performed immediately prior to clearing and grubbing. OEP will not release the site for ground disturbance until all New England cottontail's habitat is surveyed.
- b. All staging and storage areas, outside of previously paved locations, regardless of the duration of time they will be utilized, must be reviewed by and receive written approval from OEP through the District.
- c. If suitable habitat is present, within the project limits, then small areas of habitat enhancement will be implemented under direction of OEP. These enhancements will consist of brush piles and leaving dense thickets undisturbed.

- d. All construction personnel working within New England cottontail habitat must be apprised of the species description and be able to identify the possible presence of a listed species within the project site.

Workers shall be notified of the existence of the New England cottontail in this area. Photographs of the New England cottontail (species ID sheets will be provided by OEP) shall be posted in the Contractor's and DOT field office. The New England cottontail closely resembles the eastern cottontail (*Sylvilagus floridanus*) and is almost identical in appearance, except for a slight variation in color. About half of the eastern cottontail population shows a white, star-like shape on the forehead, while New England cottontails do not exhibit this trait. A comparison of skull characteristics or DNA analysis is the most reliable ways to distinguish the two species. These protection measures are beneficial to both species of rabbits. Any observations of these species are to be immediately reported to OEP at (860) 594-2937 or (860)-594-2938.